



MAGISTRATES COURT of TASMANIA

CORONIAL DIVISION



Record of Investigation into Death (Without Inquest)

*Coroners Act 1995
Coroners Rules 2006
Rule 11*

I, Olivia McTaggart, Coroner, having investigated the death of Louise Kamarnia May Hanlon

Find, pursuant to Section 28(1) of the Coroners Act 1995, that:

- (a) The identity of the deceased is Louise Kamarnia May Hanlon;
- (b) Ms Hanlon died from severe injuries sustained in a motor vehicle crash on 16 December 2015, at the intersection of South Arm Road and Cremorne Avenue in Cremorne;
- (c) Ms Hanlon died as a result of multiple blunt traumatic injuries;
- (d) Ms Hanlon died on 16 December 2015 at Cremorne in Tasmania; and
- (e) Ms Hanlon was born in Burnie on 21 September 1997; she was a student and was aged 18 years.

In making the above findings I have had regard to the evidence gained in the comprehensive investigation into Louise Kamarnia May Hanlon's death. The evidence comprises an opinion of the forensic pathologist who conducted the autopsy; relevant police and witness affidavits; medical records and reports; and forensic evidence. I have also been greatly assisted by a detailed report compiled by crash investigator Sergeant Rod Carrick, whose conclusions I accept.

I make the following further findings as to how Ms Hanlon's death occurred.

Ms Hanlon was 18 years of age. She had completed year 12 at school. She was employed as a dive coach and waitress on a part time basis. She lived in Hobart with her parents, David and Lynda Hanlon, and her younger sister, Chelsea Hanlon. It was Ms Hanlon's intention in 2016 to attend University in Launceston.

On the evening of Tuesday 15 December 2015 Ms Hanlon drove her vehicle to 53 Cremorne Avenue in Cremorne. Her friend, Blaise Heaney, lived at this address with her parents. She had arranged with Ms Heaney to spend the night at Cremorne.

This was the first time Ms Hanlon had driven to Cremorne since she obtained her provisional P1 driver licence 14 days previously on 2 December 2015.

The following day, Wednesday 16 December 2015, both Ms Hanlon and Ms Heaney were intending to travel to a pre-arranged lunch time picnic which was to be held at the Botanical Gardens in Hobart.

Ms Hanlon and Ms Heaney left Cremorne shortly after 11.15am to travel to Hobart. Ms Hanlon was driving her green Mazda 2 hatch ("the Mazda"). Ms Heaney was seated in the front passenger seat. They were both wearing seatbelts.

Ms Hanlon approached the junction of Cremorne Avenue with South Arm Road. Cremorne Avenue concludes at this junction. Vehicles on Cremorne Avenue are required to either turn left onto South Arm Road to travel in a southerly direction towards South Arm or right (across the south bound lane) to travel in a northerly direction towards Lauderdale. Ms Hanlon's intention was to turn right into the north bound lane to travel towards Lauderdale

The entry of vehicles onto South Arm Road from Cremorne Avenue is regulated by a clearly visible give-way sign and give-way holding line painted on the road surface at the junction. The holding line is a little faded however still clearly visible.

Approximately 100 metres east of the junction (on Cremorne Avenue) there is an advisory give-way sign erected. This sign faces towards vehicles travelling in a westerly direction. I am satisfied that the advisory sign provides drivers on Cremorne Avenue with adequate warning of the requirement to give-way at the junction.

The speed limit on Cremorne Avenue is 100km/h. Ms Hanlon was travelling at a speed well below the permissible limit. Ms Hanlon negotiated a sweeping left hand bend a short distance east of the junction. The eyewitness evidence and crash investigation calculations indicate that her speed at this time was in the vicinity of 60km/h.

At this time Timothy James Pennicott was driving a green 2013 Toyota Landcruiser utility ("the Landcruiser") southbound on South Arm Road. His vehicle was approaching the junction of Cremorne Avenue (eastern side of road). He was towing a dual axle (4 wheel) box trailer. Harry Davis was a front seat passenger in the Landcruiser. Both Mr Pennicott and Mr Davis were wearing seat belts.

Ms Hanlon, on approaching the junction of South Arm Road, slowed her vehicle. Then, upon seeing the Landcruiser to her right, she yelled out in surprise to Ms Heaney and accelerated through the junction to a speed of 64km/h. In doing so, her vehicle crossed the south bound lane of South Arm Road into the path of the Landcruiser. Her speed was calculated by crash investigator, Sergeant Rod Carrick, who attended the crash scene and undertook a detailed crash analysis.

The speed of the Landcruiser at impact was calculated by Sergeant Carrick to be in the vicinity of 82km/h. The permissible maximum limit on South Arm Road is 100km/h.

Mr Pennicott had observed the Mazda approaching the junction from Cremorne Avenue and assumed that it would give way to his vehicle. When the Mazda unexpectedly moved onto South Arm Road Mr Pennicott steered right, towards the centre of the road, and then left in

an attempt to go behind it. He also braked heavily causing his vehicle to skid. This action was taken in an endeavour to avoid a collision with the Mazda.

Mr Pennicott was, unfortunately, not able to avoid the crash. Sergeant Carrick's calculations confirm that Mr Pennicott had insufficient perception and reaction time to take any form of effective evasive action. The front of the Landcruiser struck the driver's side of the Mazda. The impact area on the Mazda was on the driver's side between the A and C pillars. The approximate point of impact was in about the centre of the road immediately adjacent to the junction of Cremorne Avenue.

The impact force resulted in the Mazda rotating clockwise and coming to an uncontrolled rest position on the gravel verge on the western side of the road. The Mazda sustained extensive damage to the driver's side. The Landcruiser and trailer rotated slightly clockwise coming to rest in the north bound lane of the road. Both vehicles came to rest in close proximity to the point of impact.

After the crash Ms Hanlon was trapped in the driver's seat of the Mazda. Members of the public stopped at the scene to assist. An off-duty nurse arrived at the scene a very short time after impact. She was unable to locate a pulse and noted that Ms Hanlon did not display any overt signs of life. An off-duty doctor also arrived at the scene who also detected no pulse or signs of life. Nevertheless, the nurse and doctor commenced resuscitation attempts and continued until the arrival of ambulance personnel.

Ambulance paramedics arrived at 11.22am. They examined Ms Hanlon and noted significant injuries to her head, neck, right arm and right shoulder. She was declared deceased at the scene.

Ms Heaney was able to alight from the Mazda after the crash. She was conveyed to the Royal Hobart Hospital by ambulance. She suffered minor cuts, grazing and bruising and was not admitted to hospital.

Mr Pennicott and Mr Davis, occupants of the Landcruiser, were not physically injured and did not require medical attention.

Dr Donald Ritchey, forensic pathologist, conducted an autopsy upon Ms Hanlon. He observed severe traumatic injuries upon Ms Hanlon to the head, neck, thorax and abdomen. He concluded that the injuries would have caused near instantaneous death. I accept the conclusions of Dr Ritchey.

The evidence indicates that neither alcohol nor illicit drugs had been consumed by either driver. Neither driver was distracted by use of mobile telephones or anything else. I am satisfied that Ms Hanlon did not intend to cause harm to herself or to any other person. Both vehicles (and trailer) involved in the crash were well maintained, in a roadworthy condition and without mechanical faults. The weather was fine and the road was dry. I am satisfied that weather and road conditions played no part in the crash. I am satisfied that the driving of Mr Pennicott was prudent and appropriate, and that he could not avoid the crash caused by the Mazda unexpectedly entering his road lane when it was required to give way.

I agree with the categorisation by Sergeant Carrick that the causative factor in the crash was a serious error of judgement on the part of Ms Hanlon as a young and inexperienced driver. It appears that the error resulted from a moment of panic when she first saw the Landcruiser from her position at the road junction. Ms Hanlon had ample time to stop her vehicle behind the holding line upon seeing the Landcruiser. Instead, she proceeded onto the road and into its path. It appears that she either attempted to clear the junction by accelerating across the road prior to the arrival of the Landcruiser, or alternatively, mistakenly applied the accelerator instead of the brake.

I note that there is some restricted visibility when approaching South Arm Road on Cremorne Avenue. The total sight distance of both north and south bound traffic is not realised until a vehicle is just behind or at the holding line on Cremorne Avenue. However, once a driver is behind the holding line, that driver has a 450 metre line of sight for southbound traffic approaching from the driver's right.

Comments and Recommendations

Following the death of Ms Hanlon, the State Road Division of the Department of State Growth conducted a post-crash review of the crash scene. The review considered the crash from a traffic engineering and road environment perspective. The review did not recommend any alteration to the present road design and/or speed limits. Crash statistics indicate that the last reported crash at this junction was in 2007 and, as such, it is not a high risk crash junction. Sergeant Carrick is also of the opinion that no upgrade work is necessary at this junction. Having regard to the post-crash review report and Sergeant Carrick's opinion, it is not appropriate to make any recommendations pursuant to Section 28 of the *Coroners Act* 1995.

I acknowledge the diligent efforts of the medical professionals who stopped and assisted at the scene of the crash and attended to Ms Hanlon.

I extend my appreciation to Sergeant Rod Carrick who has, again, provided me with a most thorough and comprehensive report covering all relevant aspects of the circumstances surrounding this tragic death.

I convey my sincere condolences to Ms Hanlon's family and loved ones.

Dated: 2 November 2016 at Hobart in the State of Tasmania.

Olivia McTaggart
Coroner